

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSEPH COPPOLA,

Petitioner

v.

CHRISTOPHER CHESTNUT,

Respondent.

Case No.: 2:23-cv-00907-GMN-NJK

Order Dismissing Petition

Joseph Coppola has filed what he styled a pro se 28 U.S.C. § 2241 habeas corpus petition. (ECF No. 1.) However, Coppola indicates in his petition that he seeks to challenge his federal criminal conviction in case no. 2:99-cr-00217-APG-LRL-1. On initial review under the Habeas Rules,¹ the court finds that this petition was improperly commenced, so it will be dismissed, and the case will be closed.

Coppola was convicted in federal court in 2001 of bank robbery with the use of a deadly weapon and sentenced to 51 months in prison followed by 60 months of supervised release in the criminal case cited above. Coppola appears to argue that his counsel was ineffective and that the plea bargain was erroneous. But he must file a

¹ Habeas petitions brought under 28 U.S.C. § 2241 may be subjected to the same screening requirements that apply to habeas petitions brought under 28 U.S.C. § 2254. See Rules 1(b) and 4 of the Rules Governing Section 2254 Cases in the United States District Courts.


1 motion to vacate, set aside or correct the sentence in the federal criminal case with the
2 sentencing court. See 28 U.S.C. § 2255(e). Accordingly, this action is dismissed for
3 failure to state a claim for which relief may be granted.

4 IT IS THEREFORE ORDERED that the petition **(ECF No. 1) is DISMISSED.**

5 IT IS FURTHER ORDERED that a certificate of appealability will not issue.

6 IT IS FURTHER ORDERED that the Clerk of Court enter judgment accordingly
7 and close this case.

8
9 DATED: 21 July 2023.

10
11
12 
13 _____
14 GLORIA M. NAVARRO
15 UNITED STATES DISTRICT JUDGE
16
17
18
19
20
21
22
23